

EXHIBIT F

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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

- - -
EQUAL EMPLOYMENT : CASE NO.
OPPORTUNITY COMMISSION : WDQ 02-CV-648
Plaintiff :
: :
v. :
LA WEIGHT LOSS :
CENTERS, INC. :
Defendant :
- - -

January 13, 2006

- - -
Videotaped oral deposition

of WILLIAM P. DOYLE, III, taken pursuant
to notice, was held at the offices of THE
EQUAL EMPLOYMENT OFFICES, The Bourse
Building, 5th & Market Streets, Fourth
Floor, Philadelphia, PA, beginning at
11:08 a.m., on the above date, before
Nancy D. Ronayne, a Professional Court
Reporter and Notary Public in the
Commonwealth of Pennsylvania.

- - -
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<p>1 MR. PHILLIPS: I'll let you 2 keep that, David, I know you don't 3 have any. 4 MR LANDAU: I have a little 5 collection. 6 BY MR. PHILLIPS: 7 Q. So it's fair to say then 8 that prior to becoming an area supervisor 9 you did not receive any training or 10 coaching on the topic of hiring from 11 anyone at LA Weight Loss? 12 MR LANDAU: Object to the 13 form. 14 THE WITNESS: Could you 15 rephrase that question a little 16 please. 17 MR. PHILLIPS: Sure. 18 BY MR. PHILLIPS: 19 Q. Is it a fair statement that 20 you did not receive any formal training 21 from LA Weight Loss on hiring before you 22 became an area supervisor? 23 A. That's correct. 24 Q. And it's fair to say that</p>	<p>1 at that training other than yourself and 2 Ms. Blum? 3 A. Yes. 4 Q. Who else was present? 5 A. Other area supervisors in 6 the Northern New York region. 7 Q. Were you provided with any 8 materials associated with that training? 9 A. Yes. 10 Q. Can you describe the 11 materials for me; what were they? 12 A. It's a white book with 13 staples up the middle folded in half. 14 It's I believe the title is Area 15 Supervisor Resource Manual or Training 16 Manual something along those lines. 17 Q. What topics were covered in 18 the training specific to hiring? 19 A. Specific to hiring only? 20 Q. Yes. 21 A. The interview process, the 22 questions you can ask, the questions you 23 can't ask. What to look for in somebody. 24 That's basically in a nut shell.</p>
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<p>1 you were never given any coaching 2 instruction from other managers on hiring 3 prior to being an area supervisor? 4 A. Correct. 5 Q. Okay. Because it was not 6 your job? 7 A. Correct. 8 Q. After you were promoted to 9 area supervisor did you receive any 10 training on the hiring process at LA 11 Weight Loss? 12 A. Yes. 13 Q. How many trainings? 14 A. One. 15 Q. Can you describe that 16 training for me; when was it? 17 A. The end of April after I 18 accepted the position to take the area 19 supervisor in Dayton and it was a day 20 long training in the Kamilla, New York 21 center. 22 Q. Who conducted the training? 23 A. Michelle Blum. 24 Q. And was anyone else present</p>	<p>1 Q. What were you told about 2 what to look for in someone? 3 A. The same thing I was told in 4 the orientation, high energy, 5 enthusiastic, the ability to show and 6 feel empathy for clients, sales can be a 7 plus. 8 Q. Oh, prior sales experience? 9 A. Correct. Somebody with a 10 little bit of edge so they can think 11 quick on their toes. That's basically 12 it. 13 Q. Were you told about any 14 particular -- other than sales generally, 15 were you told anything about any 16 particular kind of prior job experience 17 to look for in a candidate? 18 A. People skills, somebody who 19 has worked with the public in the past. 20 Q. Were you told any particular 21 industries to look for, job experience in 22 any particular industries? 23 A. Emotional sales, cosmetics, 24 hair care products, hairdressers,</p>

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<p style="text-align: right;">Page 66</p> <p>1 waitresses and bartenders. 2 Q. Anything else? 3 A. Not that I recall. 4 Q. Was this in writing or was 5 this verbally presented or both? 6 A. I – I recall it being 7 verbally presented. 8 Q. By Ms. Blum? 9 A. Yes. 10 Q. Do you agree with that list? 11 A. Yes. 12 Q. You think that those are 13 people who work out particularly well as 14 employees of LA Weight Loss? 15 A. They can, yes. 16 Q. Have you ever been a 17 bartender? 18 A. Yes. 19 Q. You have? 20 A. Yes. 21 Q. Okay. You didn't mention 22 that earlier, was that one of – 23 A. It was one of the little odd 24 jobs, it was a friend's bar and I filled</p>	<p style="text-align: right;">Page 68</p> <p>1 Q. Have you ever had any 2 negative experiences with any employees 3 who had job experience in hair care or 4 hairdressing, hair care products or 5 hairdressing? 6 A. Not that I recall. 7 Q. Have you ever had any 8 negative experiences with employees – 9 you start to see a pattern here -- have 10 you ever had any negative experiences 11 with any employees with food service 12 background to your knowledge? 13 A. Not that I recall. 14 Q. When you say that those 15 persons with experience in those 16 backgrounds, cosmetics, hair care 17 products, hairdressers, food service, 18 bartenders, that those people can be 19 successful employees at LA Weight Loss, 20 what's the basis for that statement? 21 A. Experience dealing with the 22 public and that would be it. 23 Q. So the common denominator 24 then among all of these people are these</p>
<p style="text-align: right;">Page 67</p> <p>1 in a couple of nights when he wasn't able 2 to work. 3 Q. Just handed you a drink 4 manual and put you to work? 5 A. It was an older crowd so 6 yes. 7 Q. Poured a lot of beer? 8 A. Yes, yes. 9 Q. Have you ever been a food 10 server? 11 A. No. 12 Q. Ever been a hairdresser? 13 A. No. 14 Q. Ever sold hair care products 15 or cosmetics? 16 A. No. 17 Q. You've done very well for 18 yourself notwithstanding all that. 19 A. Thank you. 20 Q. Have you ever had any 21 negative experiences with employees who 22 you knew to have job experience in 23 cosmetic sales? 24 A. Not that I recall.</p>	<p style="text-align: right;">Page 69</p> <p>1 are people who deal with the public on a 2 daily basis? 3 A. Correct. 4 Q. Is it fair to say then inner 5 personal skills are extremely important 6 at LA Weight Loss? 7 A. Elaborate on inner personal 8 skills please. 9 Q. The ability to have positive 10 interaction with clients? 11 A. Yes. 12 Q. As an area supervisor, how 13 do you determine whether someone has that 14 ability to have positive interaction with 15 clients, a candidate, how do you 16 determine that? 17 A. With an interview. 18 Q. Are there any set questions 19 that you ask in interviews? 20 A. Yes. 21 Q. What are those? 22 A. What is – what was your 23 favorite job, what was your least 24 favorite job and why. Who was your</p>

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1 gender been a factor in any decision made 2 about your employment at LA Weight Loss? 3 A. No. 4 Q. Have you ever been told that 5 it was? 6 A. No. 7 Q. Have you ever received since 8 — well, strike that. 9 At any time in your 10 employment at LA Weight Loss have you 11 received any training on equal employment 12 opportunity? 13 A. Yes. 14 Q. Are you familiar with that 15 term, equal employment opportunity? 16 A. Yes. 17 Q. And you understand that it 18 means non-discrimination? 19 A. Correct. 20 Q. Have you received any 21 training from human resources on that? 22 A. There was a specific 23 conference call over the summer of 2005 24 for all area supervisors and regional	1 A. Yes. 2 Q. Do you recall the handbook 3 having an EEO statement in it? 4 A. I believe it does, yes. 5 Q. But no block of instruction 6 other than what you've already testified 7 to? 8 A. Correct. 9 Q. Apart from formal training 10 by human resources have you ever received 11 any other training or coaching concerning 12 equal employment opportunity or 13 non-discrimination? 14 A. No. Well, I apologize, 15 training as in somebody other than the HR 16 department, is that what you're saying? 17 Q. Training by someone other 18 than the HR department or informal 19 coaching by someone other than the HR 20 department? 21 A. The meeting that I attended 22 in April of '05 that I've already 23 testified to with Michelle Blum, yes, 24 that was covered in there.
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1 supervisors in regards to the hiring 2 practices and coaching and developing and 3 a basic general conference call, 4 unfortunately, I was on vacation that 5 week. So I have the e-mail, I have the 6 information but I was not actually on the 7 conference call. 8 Q. What was -- was the e-mail 9 just an e-mail with attached like 10 documents? 11 A. Correct. Yes. 12 Q. Was it a long e-mail or a 13 short e-mail? 14 A. Honestly I don't remember 15 it's in my box somewhere. 16 Q. What were the attachments? 17 A. I don't remember. 18 Q. Other than that have you 19 ever received any training from human 20 resources on equal employment opportunity 21 at LA Weight Loss? 22 A. No. 23 Q. When you first were hired 24 with the company you received a handbook?	1 Q. What did she say about EEO 2 at that meeting? 3 A. That we are a 4 non-discriminating company, we hire 5 somebody due to qualifications and 6 attitude and overall ability to perform 7 the job regardless of anything else. 8 Q. We talked about your past 9 jobs and I just want to go back to that 10 for a minute. The job at Junction? 11 A. Yes. 12 Q. Have you found that any of 13 the skills or abilities that you acquired 14 at that job or any of the aspects of that 15 job at Junction that those have been 16 helpful to you in working at LA Weight 17 Loss? 18 A. Yes. 19 Q. What? 20 A. My supervisor at the 21 Junction Jeff Mary worked for the Pyramid 22 Corporation and did a lot of hiring and 23 interviewing and coaching and motivating 24 the salespeople for Pyramid. He's — he

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<p>1 during the consultation?</p> <p>2 A. We establish a goal weight, 3 we establish when that's going to happen. 4 We talk about any medical conditions or 5 medications that they may be taking at 6 the time. Any allergies that they may 7 have. Some people can't do our program 8 due to medical conditions. Once that's 9 all done and out of the way we talk to 10 them about how long they've been thinking 11 about losing the weight, what struck 12 their interest, what's the driving force. 13 Is your husband making comments, is your 14 wife a weight loss guru and continuous 15 health food nut and you go home and eat a 16 cheeseburger and french fries every 17 night, I mean what's your home life like. 18 How important it is to them, any programs 19 that they've may have tried in the past 20 or have them rate it on a scale of one to 21 10 as to whether or not 10 is being the 22 most important or one this really isn't 23 very important to you.</p> <p>24 We're done with the</p>	<p>Page 174</p> <p>1 final and most important part of the 2 program is our maintenance, teaching our 3 clients how to maintain this. We tell 4 them it's a life style change because it 5 is, we're changing the way they're going 6 to eat forever, this isn't a diet.</p> <p>7 The next page we talk about 8 is the LA Lights and how important the 9 soy protein is to their success and how 10 it's going to aid them if they're 11 medically eligible to use them. And we 12 talk about the herbal supplements that we 13 offer and how they will also if they're 14 medically eligible aid them in their 15 weight loss.</p> <p>16 And then the final page just 17 let's them know hey, we're going to do a 18 medical history today, we're going to get 19 your doctor's information because we may 20 need to contact your physician if we have 21 to alter anything. Talk to them about 22 setting up an appointment for a blood 23 draw. We have phlebotomists in each of 24 the centers to draw their blood and check</p>
<p>Page 175</p> <p>1 questionnaire we move on to our one on 2 one magazine which explains our program 3 step by step to them. First page inside 4 cover introduces them to Dr. Boyd Lyles 5 who backs LA Weight Loss. Next page, 6 wow, I should remember this, shouldn't I. 7 The next page talks about the three phase 8 program and how it's personalized to 9 them. Goes into a little bit of detail 10 as far as the weight loss, the one on one 11 counseling, the blood pressure, the 12 measurements, the personal eating profile 13 which is going to analyze their eating 14 behaviors. The fact that we calculate 15 how much weight they've loss each and 16 every time they come into the center to 17 make sure they're losing exactly how 18 they're supposed to and if they're not we 19 need to fix it.</p> <p>20 Once they're done with their 21 weight loss we flip the page and talk 22 about stabilization and how we stabilize 23 our clients at their weight that they're 24 comfortable at. And then the third and</p>	<p>Page 177</p> <p>1 all their thyroid and their cholesterol 2 and things of that nature.</p> <p>3 Set up two appointments, 4 their next visit to the center which is 5 the program explanation and then their 6 personal success visit which is at their 7 one-week check point to make sure they're 8 doing okay on the program 1 week into it. 9 And also at that visit it's their 10 opportunity to save on their LA Lights, 11 they can buy them ahead of them instead 12 of buying week to week and save anywhere 13 from 10 to 30 percent off on them.</p> <p>14 Q. What happens during a daily?</p> <p>15 A. It's accountability. It's 16 we go over their food diary, we weigh 17 them in. We make sure they're getting 18 all their foods in. Support. If we see 19 they've gone up 2 pounds in 2 days 20 there's a reason for it, we find out why. 21 We do some advance problem solving with 22 our clients, let them come up with the 23 can solutions to fix the problem. But of 24 course we guide them into the solution</p>

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<p>1 that's going to fix it. If we need to 2 tie products into it to help them and 3 they really need the help that we can 4 offer them with our products we talk to 5 them about the products. We take a blood 6 pressure once a week. We do measurements 7 every 4 weeks. Ask them if there's 8 anything else that we can help them with 9 and see you in 2 days. Was that all 10 right?</p> <p>11 Q. You would know a lot better 12 than I.</p> <p>13 MR. LANDAU: Sign up, are 14 you kidding me.</p> <p>15 THE WITNESS: Would that be 16 cash, check or credit card, sir?</p> <p>17 (A discussion off the record 18 occurred.)</p> <p>19 BY MR. PHILLIPS:</p> <p>20 Q. What, why is bowel movements 21 relevant, what does that have to do with 22 anything?</p> <p>23 A. Constipation is -- 24 constipation is generally the first road</p>	<p>1 A. Generally couple days prior 2 to a woman starting her menstrual cycle 3 she will retain water because her body is 4 going to start fighting some things off 5 so it needs the water and it's going to 6 hold onto it and you're going to see the 7 scale go up a little bit sometimes. And 8 women realize it, they come in and they 9 talk about being bloated and they're 10 retaining water in their hands or their 11 ankles or around their midsection and we 12 have a lot of little tips that we can 13 give them to help them get rid of that 14 water retention.</p> <p>15 Q. And that's the menstrual 16 cycles and the impact on weight loss, 17 that's something that's part of your 18 service training, correct?</p> <p>19 A. Correct.</p> <p>20 Q. And you learned that right 21 from the start when you worked at LA?</p> <p>22 A. I believe it was either in 23 service training or it was the first day 24 that my, my trainer who followed up who</p>
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<p>1 block at weight loss. When somebody has 2 a bowel movement they're getting rid of 3 things that their body doesn't need. 4 When you eat unhealthy food, high fat 5 food, high carbohydrate food you go to 6 the bathroom more. When you eat very low 7 fat foods, lot of fresh fruits and 8 vegetables generally you have less waste 9 for your body to get rid of so you go to 10 the bathroom less. So that's a question 11 that we ask every time.</p> <p>12 Q. Have you ever counseled any 13 men?</p> <p>14 A. Yes.</p> <p>15 Q. Men clients?</p> <p>16 A. Yes. Yes.</p> <p>17 Q. Is that an issue that's 18 raised at those sessions as well?</p> <p>19 A. It's raised with every 20 client.</p> <p>21 Q. With every client?</p> <p>22 A. Yes.</p> <p>23 Q. How is the menstrual cycle 24 relevant, what's that relevant to?</p>	<p>1 did my training, Sheila, she came into 2 the Watertown center I think it was my 3 first day in the center and worked with 4 me in setting up my desk, making sure I 5 had all the menu plans. I watched her do 6 a couple of daily visits and then she 7 watched me do some daily visits. And 8 yes, it was right at the beginning. And 9 I have three sisters so I know.</p> <p>10 Q. Even if you didn't have 11 three sisters though that's just 12 something that's covered as part of your 13 training?</p> <p>14 A. Absolutely, absolutely.</p> <p>15 Q. Again, just to educate 16 myself, what are some of the most common 17 reasons given, you earlier on we were 18 talking about the initial consultation 19 when a perspective client comes in and 20 obviously they're not some of them aren't 21 sure whether or not they even want to be 22 on the program, there's a sales aspect of 23 this, correct?</p> <p>24 A. Correct.</p>